

Applicant or Patentee: Hoffman, et al.
Serial or Patent No.: N/A
Filed or Issued: _____

Attorney's
Docket No.: ST-A22

For: System and Method For Tokenless Biometric Electronic Scrip

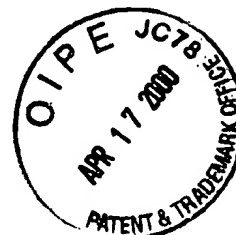
**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS [37 CFR 1.9(f)] - SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: SMARTTOUCH, INC.

ADDRESS OF CONCERN: 727 Allston Way, Berkeley, California 94710



I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled System and Method For Tokenless Biometric Electronic Scrip inventor(s) Hoffman, et al. described in

☒ the specification filed herewith.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time or paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. [37 CFR 1.28(b)]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Ned Hoffman

TITLE OF PERSON OTHER THAN OWNER: Vice President

ADDRESS OF PERSON SIGNING: SMARTTOUCH, Inc., 727 Allston Way, Berkeley, California 94710

SIGNATURE

DATE

11/12/99

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

POWER TO INSPECT

Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

With power of attorney from the Assignee for the below-mentioned patent application;

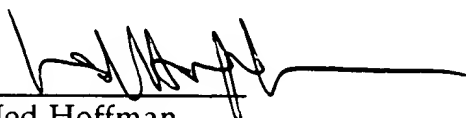
Patent Application No.
09/441,107

I hereby appoint;

Sunny Downs, of Express Patents, or Hendrick Tran
as an associate, with power to inspect, copy, and receive documents, with
respect to the above-mentioned patent application.

Respectfully submitted,

Dated: 3/27/03

By: 
Ned Hoffman
President, Excel Innovations, Inc.
and
Manager, Aviv LLC

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